

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**TUESDAY, APRIL 21, 2009.**

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Tuesday, April 21, 2009.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God of Trust and Hope, we take a moment for personal reflection and to offer a prayer for guidance and direction as we address the issues of the day. In Your goodness, grant us the wisdom to comprehend clearly and accurately the complex and often sensitive matters which come before us. May we continue to be patient and good listeners as we together seek the answers to the pressing issues of these changing times. In the final analysis, may we always look at the intended and unintended consequences of our actions on the present and future of the Commonwealth and the people. Inspire us to encourage all people, especially our young people and students to recognize and to utilize their talents and gifts for personal benefit and the common good.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Message from the Governor.*

A message from His Excellency the Governor recommending legislation relative to clean energy (House, No. 4072) was filed in the Office of the Clerk on Monday, April 6.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Bradley of Hingham) recognizing the fourteenth of May as Tower Day, in recognition of John Tower (1), in the town of Hingham;

Resolutions (filed by Mr. Guyer of Dalton) recognizing Lights Out, Green In Pledge;

Resolutions (filed by Mr. Rice of Gardner) recognizing Henry L. Robichaud for fifty years of service to the Gardner Franco-American Federal Credit Union;

Prayer.

Pledge of  
allegiance.

Clean energy.

Tower Day.

Lights Out,  
Green In.

Henry L.  
Robichaud.

and

Resolutions (filed by Mr. Ross of Wrentham) congratulating Chief Edward M. Merrick, Jr., on the occasion of his retirement;

Edward M.  
Merrick, Jr.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the Rules, in each instance, on motion of Mr. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petition.*

Mr. Aguiar of New Bedford presented a petition (subject to Joint Rule 12) of Kevin Aguiar for legislation to establish a sick leave bank for Jennifer Moniz, an employee of the Registry of Motor Vehicles; and the same was referred, under Rule 24, to the committee on Rules.

Jennifer Moniz,—  
sic k leave bank.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, the reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Provost of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

*Papers from the Senate.*

The Senate Bill relative to making certain changes in the retirement system of the Commonwealth (Senate, No. 2026, amended) came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4060).

Retirement  
system.

The bill bore the further endorsement that the Senate had asked for a committee of conference; and that Senators Panagiotakos, McGee and Brown had been appointed as the committee on the part of the Senate.

The House then insisted on its amendment; and, on motion of Mr. Spellane of Worcester, concurred with the Senate in the appointment of a committee of conference. Representatives Spellane, Rodrigues of Westport and Smola of Palmer were appointed the committee on the part of the House. Sent to the Senate to be noted.

A Bill to establish a supplementary tax rate in the town of Rockland (printed as House, No. 4050) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Rockland,—  
tax rate.

A report of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 174) of Michael W. Morrissey for legislation to establish the Massachusetts Gaming Control Act, and recommending that the same be referred to the committee on Economic Development and Emerging Technologies,— accepted by the Senate, was considered forthwith, under Rule 42;

Gaming  
Control Act.

and it was accepted, in concurrence.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2029) of Thomas P. Kennedy and Geraldine Creedon (with the approval of the mayor and city council) for legislation relative to the city of Brockton's calculation of its local contribution to net school spending. To the committee on Municipalities and Regional Government.

Brockton,— net  
school spending.

Petition (accompanied by bill, Senate, No. 2030) of Thomas P. Kennedy and Geraldine Creedon (with the approval of the mayor and city council) for legislation relative to retiree and employee health care premiums in the city of Brockton; and

Brockton,— health  
care premiums.

Petition (accompanied by bill, Senate, No. 2032) of John A. Hart, Jr., and Thomas M. Menino (with the approval of the mayor and city council) for legislation relative to the appointment of a certain civil service class as firefighters in the city of Boston.

Boston,—fire  
fighters.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

*Reports of Committees.*

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to a certain alcoholic beverages license in the town of Dracut (House, No. 3800) be scheduled for consideration by the House.

Dracut, —  
liquor license.

Under suspension of Rule 7A, on motion of Mr. Linsky of Natick, the bill was read a second time forthwith; and it was ordered to a third reading.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next sitting.

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At seventeen minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.